

Election #5
3/14/02

OFFICIAL

FAX RECEIVED

MAR 12 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
GROUP 1600

In re the Application of: Hideaki HOSOKAWA et al.

Serial No.: 09/594,511

Group Art Unit: 1642

Filed: June 15, 2000

Examiner: G. Nickol

For: METHOD FOR DETECTION OF CARCINOEMBRYONIC ANTIGENS HAVING
A MODIFIED SUGAR CHAIN STRUCTURE

RESPONSE TO THE RESTRICTION/ELECTION REQUIREMENT
DATED July 31, 2001

Commissioner for Patents
Washington, D.C. 20231

August 23, 2001

Sir:

This paper is submitted in response to the Official Action dated July 31, 2001.

REMARKS

In response to the Restriction requirement, Applicants hereby elect Group I. that is, claims 1-13 and 16-22, a method for detecting CEAs or a method for detecting cancer comprising using an antibody against a constant region of CEA and an protein capable of recognizing a modified sugar chain structure of CEAs. In Response to the Election requirement, Applicants hereby elect an antibody, specifically the anti-Le^a antibody.

Applicants believe that the claims of the elected claim group reading on the elected species are claims 1, 2, 3, 4, 6, 7, 12, 13, 16 and 19. This election is made without traverse, with the understanding that, upon allowance of a generic claim, Applicants will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all of the

BEST AVAILABLE COPY

Response to Restriction Requirement
Hideaki HOSOKAWA et al.

U.S. Patent Application S.N. 09/594,577
Attorney Docket No. 000683

limitations of an allowed generic claim as provided by C.F.R. 1.141.

In the event that this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for any such extension may be charged to our Deposit Account No. 01-2340.

In the event any additional fees are required in connection with this response, please charge our Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, WESTERMAN, HATTORI,
McLELLAND & NAUGHTON, LLP

Daniel A. Geselowitz, Ph.D.
Agent for Applicants
Reg. No. 42,573

Atty., Docket No. 000683
1725 K Street, N.W., Suite 1000
Washington, DC 20006
Tel: (202) 659-2930
Fax: (202) 887-0357
DAG/plb

H:\FLOATERS\DAG\000683\response to restriction-election requirement

OFFICIAL

FAX RECEIVED

MAR 12 2002

Law Offices
ARMSTRONG, WESTERMAN & HATTORI, LLP
Suite 1000, 1725 K Street
Washington, D.C. 20006

GROUP 1600

(202) 659-2930

Facsimile (202) 887-0357 or (202) 331-7519

FACSIMILE TRANSMISSION COVER SHEET

DATE: March 12, 2002

TO: Examiner G. Nickol
U.S. Patent and Trademark Office
Group Art Unit 1642
Phone: 703-305-7143

RE: Response to Restriction filed August 23, 2001
U.S. Patent Application S.N. 09/594,577
By: Hideaki HOSOKAWA et al.
Attorney Docket No. 000683

FROM: Daniel A. Geselowitz, Ph.D.

FAC. TEL. NO.: 703-308-4315

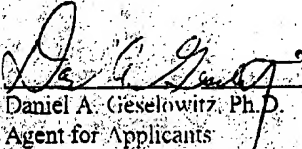
NUMBER OF PAGES (INCLUDING THIS COVER SHEET): 4

PLEASE ACKNOWLEDGE SAFE AND CLEAR RECEIPT OF ALL PAGES BEING SENT

Examiner Nickol:

Thank you for your telephone call yesterday indicating that you never received the Response filed August 23, 2001.

Attached please find a copy of the Response to the Restriction/Election Requirement we filed August 23, 2001 along with a copy of the date stamped post card.


Daniel A. Geselowitz, Ph.D.
Agent for Applicants
Reg. No. 42,573

DAG/plb

THE INFORMATION CONTAINED IN THIS MESSAGE IS CONFIDENTIAL INFORMATION INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. This message may also be an attorney/client communication which is privileged and confidential. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by calling us collect and return the original message to us at the above address by mail. Thank you.

FROM ARMSTRONG, WESTERMAN

(TUE) 3:12:02 PM 13/15/NO. 4863196321 P 1

CARD NO: 03102

U.S. Patent Application Docket No: 000683
Serial No: 09/594,577 Filed: 06/15/00
Patent Number: Issued:
Applicant(s): HOSOKAWA, ET AL

Papers filed herewith on: 08/23/01

Office: Response to Restriction/Election Requirement



COMMISSIONER OF PATENTS

Receipt is hereby acknowledged of the papers filed as indicated
in connection with the above-identified case. DAG/PLB